

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

Denise Carlon, Esquire
KML Law Group, P.C.
216 Haddon Avenue, Suite 406
Westmont, NJ 08108
Main Phone: 609-250-0700
dcarlon@kmllawgroup.com
Attorneys for Secured Creditor
M&T Bank

In Re:
Therese Edwards, Joseph William Nittoso,
Debtors.



Order Filed on December 30, 2019
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 17-35590 VFP

Adv. No.:

Hearing Date: 12/5/19 @ 10:00 a.m.

Judge: Vincent F. Papalia

**ORDER CURING POST-PETITION ARREARS & RESOLVING CERTIFICATION OF
DEFAULT**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby
ORDERED.

DATED: December 30, 2019



Honorable Vincent F. Papalia
United States Bankruptcy Judge

(Page 2)

Debtors: Therese Edwards, Joseph William Nittoso

Case No: 17-35590 VFP

Caption of Order: ORDER CURING POST-PETITION ARREARS AND RESOLVING CERTIFICATION OF DEFAULT

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, M&T Bank, Denise Carlon appearing, upon a certification of default as to real property located at 110 Lexington Avenue, Bloomfield, NJ, 07003, and it appearing that notice of said certification was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and David G. Beslow, Esquire, attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of December 11, 2019, Debtors are due for the payments due September 2019 through December 2019 for a total post-petition default of \$10,115.24 (4 @ \$2,958.84, \$1,720.12 less suspense); and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$10,115.24 shall be added to the affidavit of amount due and paid through Debtor's Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that the debtor shall file a modified plan within twenty days of this order; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume January 1, 2020, directly to Secured Creditor, M&T Bank, P.O. Box 1288, Buffalo, NY 14240 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if any of the cure payments or regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtors shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs up to the sum of \$350.00 in an amount to be included in a post-petition fee notice for attorneys' fees, which is to be paid through Debtors' Chapter 13 plan and the certification is hereby resolved.